UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,426	07/29/2003	Rand B. Nickerson	067543.0184	7833

7590 11/14/2006	EXAMINER
BAKER BOTTS L.L.P. 2001 Ross Avenue Dallas, TX 75201-2980	DWIVEDI, MAHESH H

ART UNIT	PAPER NUMBER
2168	

DATE MAILED: 11/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/630,426	NICKERSON ET AL.
	Examiner	Art Unit	
	Mahesh H. Dwivedi	2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _31 August 2006_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-34_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-34_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _29 July 2003_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

     1.☐ Certified copies of the priority documents have been received.

     2.☐ Certified copies of the priority documents have been received in Application No. _____.

     3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _7/20/2006_.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1.   The information disclosure statements (IDS) submitted on 07/20/2006,

06/23/2006, and 05/08/2008 have been received, entered into the record, and

considered. The submission is in compliance with the provisions of 37 CFR 1.97.

Accordingly, the information disclosure statements are being considered by the

examiner.

Response to Amendment

2.   Receipt of Applicant's Amendment, filed on 08/31/2006, is acknowledged. The

amendment includes amending the specification and the amending of claims 1-7, 9-18,

20-29, and 31-34.

Specification

3.   The objections raised in the office action mailed on 02/06/2006 have been

overcome by the applicant's amendments received on 08/31/2006.

Drawings

4.   The objections raised in the office action mailed on 02/06/2006 have been

overcome by the applicant's amendments received on 08/31/2006.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by

another filed in the United States before the invention by the applicant for patent or (2) a patent

granted on an application for patent by another filed in the United States before the invention by the

applicant for patent, except that an international application filed under the treaty defined in section

351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2)

of such treaty in the English language.

6.   Claims 1-5, 10-16, 21-27, and 32-34 are rejected under 35 U.S.C. 102(e) as

being anticipated by **Muret et al.** ("Muret" (U.S. Patent 6,792,458)).

7.   Regarding claim 1, **Muret** teaches a system comprising:

A) first software associated with <u>a particular</u> web page <u>of a website and</u> operable to

collect information concerning user interaction with the <u>particular</u> web page (Column 5,

lines 58-67-Column 6, lines 1-10, Column 21, lines 18-60, Figures 22-36); and

B) second software associated with the <u>particular</u> web page operable to: receive, from

a website owner who has accessed the <u>particular</u> web page using a web browser while

the <u>particular</u> web page is viewable within a browser window of the web browser, input

indicating a desire to access the collected information concerning user interaction with

the <u>particular</u> web page (Column 5, lines 58-67-Column 6, lines 1-10, Column 26, lines

23-30);

C) determine whether the website owner is authorized to access the collected

information concerning user interaction with the <u>particular</u> web page (Column 19, lines

56-67-Column 20, lines 1-10); and

D) if the website owner is authorized to access the collected information concerning

user interaction with the <u>particular</u> web page (Column 19, lines 56-67-Column 20, lines

1-10):

E) generate a viewable user interface providing substantially real-time access to the

collected information concerning user interaction with the <u>particular</u> web page (Column

5, lines 58-67-Column 6, lines 1-10, Figures 22-36); and

F) to provide the website owner substantially real-time access to the collected

information concerning user interaction with the <u>particular</u> web page, present the

viewable user interface to the <u>website</u> owner <u>in substantially real-time in response to the</u>

<u>input received from the website owner</u> while the <u>particular</u> web page <u>was viewable</u>

within the browser window of the web browser (Column 5, lines 58-67-Column 6, lines

1-10, Column 21, lines 18-60, Figures 22-36).

The examiner notes that **Muret** teaches **"first software associated with <u>a</u>**

<u>particular</u> web page <u>of a website and</u> operable to collect information concerning

user interaction with the <u>particular</u> web page" as "the system 100, suing the live

data access control routine shown in FIG.5, has the ability to record web traffic into the

database 300 continuously as it occurs. Since, as described above, the report engine

400 creates reports when they are requested, all reports can display up-to-date real-

time information" (Column 21, lines 30-35). The examiner further notes that **Muret**

teaches **"second software associated with the <u>particular</u> web page operable to:**

receive, from a website owner who has accessed the <u>particular</u> web page using a

web browser while the <u>particular</u> web page is viewable within a browser window

of the web browser, input indicating a desire to access the collected information

concerning user interaction with the <u>particular</u> web page" as "A user 530 sends a

report request 540 to the report engine 400 via a web server 520" (Column 5, lines 62-

63) and "E-commerce website owners can use these correlations to make valuable

business decisions" (Column 26, lines 23-24). The examiner further notes that **Muret**

teaches **"determine whether the website owner is authorized to access the**

collected information concerning user interaction with the <u>particular</u> web page"

as "The authentication module 1430 provides a flexible way to check access

authorization for report requestors" (Column 19, lines 59-61). The examiner further

notes that **Muret** teaches **"if the website owner is authorized to access the**

collected information concerning user interaction with the <u>particular</u> web page"

as "The authentication module 1430 provides a flexible way to check access

authorization for report requestors" (Column 19, lines 59-61). The examiner further

notes that **Muret** teaches **"generate a viewable user interface providing**

substantially real-time access to the collected information concerning user

interaction with the <u>particular</u> web page" as the various graphical user interfaces in

Figures 22-36. The examiner further notes that **Muret** teaches **"to provide the**

website owner substantially real-time access to the collected information

concerning user interaction with the <u>particular</u> web page, present the viewable

user interface to the <u>website</u> owner <u>in substantially real-time in response to the</u>

<u>input received from the website owner</u> while the <u>particular</u> web page <u>was</u>

<u>viewable</u> within the browser window of the web browser" as "the system 100, suing

the live data access control routine shown in FIG.5, ahs the ability to record web traffic into the database 300 continuously as it occurs. Since, as described above, the report engine 400 creates reports when they are requested, all reports can display up-to-date real-time information" (Column 21, lines 30-35).

Regarding claim 2, **Muret** further teaches a system comprising:

A) receive a password from the website owner (Column 19, lines 16-27, lines 56-67-Column 20, lines 1-10); and

B) to determine whether the website owner is authorized to access the collected information concerning user interaction with the <u>particular</u> web page, determine whether the password received from the website owner is valid (Column 19, lines 16-27, lines 56-67-Column 20, lines 1-10).

The examiner notes that **Muret** teaches **"receive a password from the website owner"** as "The authentication module 1430 provides a flexible way to check access authorization for report requestors" (Column 19, lines 59-61). The examiner further notes that **Muret** teaches **"to determine whether the website owner is authorized to access the collected information concerning user interaction with the <u>particular</u> web page, determine whether the password received from the website owner is valid"** as "The authentication module 1430 provides a flexible way to check access authorization for report requestors" (Column 19, lines 59-61).

Regarding claims 3, 14, and 25, **Muret** further teaches a system, method, and software comprising:

A) receive, from the website owner, one or more specified filter criteria applicable to the collected information concerning user interaction with the <u>particular</u> web page (Column 27, lines 1-43, Figures 27-29); and

B) filter the collected information concerning user interaction with the <u>particular</u> web page according to the specified filter criteria such that the website owner is presented only particular collected information concerning user interaction with the <u>particular</u> web page matching the specified filter criteria (Column 27, lines 1-43, Figures 27-29).

The examiner notes that **Muret** teaches **"receive, from the website owner, one or more specified filter criteria applicable to the collected information concerning user interaction with the <u>particular</u> web page"** as "The user interface 4000 preferable includes a "date range" functions area 4080. Depending on the report chosen, this date range functions area 4080 allows the user to select the date range of the report being shown" (Column 27, lines 1-4). The examiner further notes that **Muret** teaches **"filter the collected information concerning user interaction with the <u>particular</u> web page according to the specified filter criteria such that the website owner is presented only particular collected information concerning user interaction with the <u>particular</u> web page matching the specified filter criteria"** as "The user interface 4000 preferable includes a "date range" functions area 4080. Depending on the report chosen, this date range functions area 4080 allows the user to select the date range of the report being shown" (Column 27, lines 1-4).

Regarding claims 4, **Muret** further teaches a system comprising:

A) wherein at least one of the filter criteria comprises a time frame associated with the collected information concerning user interaction with the <u>particular</u> web page (Column 27, lines 1-43, Figures 27-29).

The examiner notes that **Muret** teaches **"wherein at least one of the filter criteria comprises a time frame associated with the collected information concerning user interaction with the <u>particular</u> web page"** as "The user interface 4000 preferable includes a "date range" functions area 4080. Depending on the report chosen, this date range functions area 4080 allows the user to select the date range of the report being shown" (Column 27, lines 1-4).

Regarding claims 5, **Muret** further teaches a system comprising:

A) wherein the collected information concerning user interaction with the <u>particular</u> web page is user traffic information (Column 21, lines 18-60, Column 27, lines 15-43, Figures 22, 28-29).

The examiner notes that **Muret** teaches **"wherein the collected information concerning user interaction with the <u>particular</u> web page is user traffic information"** as "Traffic Related Reports: The Snapshot report 4010 shown in FIG. 28 is preferable a bar graph 4110 of the last 7 days of web site traffic in terms of various fields, preferable Visitors, PageViews, Hits, or Bytes" (Column 27, lines 15-19).

Regarding claim 10, **Muret** further teaches a system comprising:

A) wherein the input indicating a desire to access the collected information concerning

user interaction with the <u>particular</u> web page comprises entry of one or more particular

keystrokes using a keyboard (Column 19, lines 16-27, lines 56-67-Column 20, lines 1-

10).

The examiner notes that **Muret** teaches **"wherein the input indicating a desire**

to access the collected information concerning user interaction with the

<u>**particular**</u> **web page comprises entry of one or more particular keystrokes using a**

keyboard" as "Customers login once into the control panel, and then have access to e-

mail, website builder tools, newsgroups, etc." (Column 19, lines 21-23).

The examiner further notes that it is common knowledge to use a keyboard to

"login" (Column 19, line 21).

Regarding claim 11 **Muret** further teaches a system comprising:

A) the <u>particular</u> web page comprises a first web page (Column 11, lines 35-48,

Column 27, lines 43-53, Figure 8, 30);

B) the website comprises one or more other web pages in addition to the first web page

(Column 11, lines 35-48, Column 27, lines 43-53, Figure 8, 30); and

C) the second software is further operable to: receive, from the website owner, a

specification of one or more of the other web pages (Column 11, lines 35-48, Column

27, lines 43-53, Figure 8, 30); and

D) provide the website owner access from the first web page to collected information concerning user interaction with the specified other web pages in addition to the collected information concerning user interaction with the first web page (Column 11, lines 35-48, Column 27, lines 43-53, Figure 8, 30).

The examiner notes that **Muret** teaches **"the <u>particular</u> web page comprises a first web page"** as "a particular visitor is recorded as looking at Page A 1060 first and then Page C 1070" (Column 11, lines 38-39). The examiner further notes that **Muret** teaches **"the website comprises one or more other web pages in addition to the first web page"** as "a particular visitor is recorded as looking at Page A 1060 first and then Page C 1070" (Column 11, lines 38-39). The examiner further notes that **Muret** teaches **"the second software is further operable to: receive, from the website owner, a specification of one or more of the other web pages"** as "a particular visitor is recorded as looking at Page A 1060 first and then Page C 1070" (Column 11, lines 38-39). The examiner further notes that **Muret** teaches **"provide the website owner access from the first web page to collected information concerning user interaction with the specified other web pages in addition to the collected information concerning user interaction with the first web page"** as "a particular visitor is recorded as looking at Page A 1060 first and then Page C 1070" (Column 11, lines 38-39).

Regarding claim 12, **Muret** teaches a method comprising:

A) collecting information concerning user interaction with <u>a particular</u> web page <u>of a</u>

<u>website</u> (Column 5, lines 58-67-Column 6, lines 1-10, Column 21, lines 18-60, Figures

22-36); and

B) receiving, from a website owner who has accessed the <u>particular</u> web page using a

web browser while the <u>particular</u> web page is viewable within a browser window of the

web browser, input indicating a desire to access the collected information concerning

user interaction with the <u>particular</u> web page (Column 5, lines 58-67-Column 6, lines 1-

10, Column 26, lines 23-30);

C) determining whether the website owner is authorized to access the collected

information concerning user interaction with the <u>particular</u> web page (Column 19, lines

56-67-Column 20, lines 1-10); and

D) if the website owner is authorized to access the collected information concerning

user interaction with the <u>particular</u> web page (Column 19, lines 56-67-Column 20, lines

1-10):

E) generating a viewable user interface providing substantially real-time access to the

collected information concerning user interaction with the <u>particular</u> web page (Column

5, lines 58-67-Column 6, lines 1-10, Figures 22-36); and

F) to provide the website owner substantially real-time access to the collected

information concerning user interaction with the <u>particular</u> web page, presenting the

viewable user interface to the <u>website</u> owner <u>in substantially real-time in response to the</u>

<u>input received from the website owner</u> while the <u>particular</u> web page <u>was viewable</u>

within the browser window of the web browser (Column 5, lines 58-67-Column 6, lines

1-10, Column 21, lines 18-60, Figures 22-36).

The examiner notes that **Muret** teaches **"collecting information concerning**

user interaction with a particular web page of a website" as "the system 100, suing

the live data access control routine shown in FIG.5, has the ability to record web traffic

into the database 300 continuously as it occurs. Since, as described above, the report

engine 400 creates reports when they are requested, all reports can display up-to-date

real-time information" (Column 21, lines 30-35). The examiner further notes that **Muret**

teaches **"receiving, from a website owner who has accessed the particular web**

page using a web browser while the particular web page is viewable within a

browser window of the web browser, input indicating a desire to access the

collected information concerning user interaction with the particular web page"

as "A user 530 sends a report request 540 to the report engine 400 via a web server

520" (Column 5, lines 62-63) and "E-commerce website owners can use these

correlations to make valuable business decisions" (Column 26, lines 23-24). The

examiner further notes that **Muret** teaches **"determining whether the website owner**

is authorized to access the collected information concerning user interaction with

the particular web page" as "The authentication module 1430 provides a flexible way

to check access authorization for report requestors" (Column 19, lines 59-61). The

examiner further notes that **Muret** teaches **"if the website owner is authorized to**

access the collected information concerning user interaction with the particular

web page" as "The authentication module 1430 provides a flexible way to check

access authorization for report requestors" (Column 19, lines 59-61). The examiner

further notes that **Muret** teaches **"generating a viewable user interface providing**

substantially real-time access to the collected information concerning user

interaction with the <u>particular</u> web page" as the various graphical user interfaces in

Figures 22-36. The examiner further notes that **Muret** teaches **"to provide the**

website owner substantially real-time access to the collected information

concerning user interaction with the <u>particular</u> web page, presenting the viewable

user interface to the <u>website</u> owner <u>in substantially real-time in response to the</u>

<u>input received from the website owner</u> while the <u>particular</u> web page <u>was</u>

<u>viewable</u> within the browser window of the web browser" as "the system 100, suing

the live data access control routine shown in FIG.5, ahs the ability to record web traffic

into the database 300 continuously as it occurs. Since, as described above, the report

engine 400 creates reports when they are requested, all reports can display up-to-date

real-time information" (Column 21, lines 30-35).

Regarding claim 13, **Muret** further teaches a method comprising:

A) receive a password from the website owner (Column 19, lines 16-27, lines 56-67-

Column 20, lines 1-10); and

B) to determine whether the website owner is authorized to access the collected

information concerning user interaction with the <u>particular</u> web page, determining

whether the password received from the website owner is valid (Column 19, lines 16-27,

lines 56-67-Column 20, lines 1-10).

The examiner notes that **Muret** teaches **"receive a password from the website owner"** as "The authentication module 1430 provides a flexible way to check access authorization for report requestors" (Column 19, lines 59-61). The examiner further notes that **Muret** teaches **"to determine whether the website owner is authorized to access the collected information concerning user interaction with the <u>particular</u> web page, determining whether the password received from the website owner is valid"** as "The authentication module 1430 provides a flexible way to check access authorization for report requestors" (Column 19, lines 59-61).

Regarding claim 14, **Muret** further teaches a method comprising:

A) receive, from the website owner, one or more specified filter criteria applicable to the collected information concerning user interaction with the <u>particular</u> web page (Column 27, lines 1-43, Figures 27-29); and

B) filter the collected information concerning user interaction with the <u>particular</u> web page according to the specified filter criteria such that the website owner is presented only particular collected information concerning user interaction with the <u>particular</u> web page matching the specified filter criteria (Column 27, lines 1-43, Figures 27-29).

The examiner notes that **Muret** teaches **"receive, from the website owner, one or more specified filter criteria applicable to the collected information concerning user interaction with the <u>particular</u> web page"** as "The user interface 4000 preferable includes a "date range" functions area 4080. Depending on the report chosen, this date range functions area 4080 allows the user to select the date range of

the report being shown" (Column 27, lines 1-4). The examiner further notes that **Muret**

teaches **"filter the collected information concerning user interaction with the**

particular web page according to the specified filter criteria such that the website

owner is presented only particular collected information concerning user

interaction with the particular web page matching the specified filter criteria" as

"The user interface 4000 preferable includes a "date range" functions area 4080.

Depending on the report chosen, this date range functions area 4080 allows the user to

select the date range of the report being shown" (Column 27, lines 1-4).

Regarding claim 15, **Muret** further teaches a method comprising:

A)   wherein at least one of the filter criteria comprises a time frame associated with the

collected information concerning user interaction with the particular web page (Column

27, lines 1-43, Figures 27-29).

The examiner notes that **Muret** teaches **"wherein at least one of the filter**

criteria comprises a time frame associated with the collected information

concerning user interaction with the particular web page" as "The user interface

4000 preferable includes a "date range" functions area 4080. Depending on the report

chosen, this date range functions area 4080 allows the user to select the date range of

the report being shown" (Column 27, lines 1-4).

Regarding claims 16, **Muret** further teaches a method comprising:

A) wherein the collected information concerning user interaction with the <u>particular</u> web

page is user traffic information (Column 21, lines 18-60, Column 27, lines 15-43,

Figures 22, 28-29).

The examiner notes that **Muret** teaches **"wherein the collected information**

concerning user interaction with the <u>particular</u> web page is user traffic

information" as "Traffic Related Reports: The Snapshot report 4010 shown in FIG. 28

is preferable a bar graph 4110 of the last 7 days of web site traffic in terms of various

fields, preferable Visitors, PageViews, Hits, or Bytes" (Column 27, lines 15-19).

Regarding claim 21 **Muret** further teaches a method comprising:

A) wherein the input indicating a desire to access the collected information concerning

user interaction with the <u>particular</u> web page comprises entry of one or more particular

keystrokes using a keyboard (Column 19, lines 16-27, lines 56-67-Column 20, lines 1-

10).

The examiner notes that **Muret** teaches **"wherein the input indicating a desire**

to access the collected information concerning user interaction with the

<u>particular</u> web page comprises entry of one or more particular keystrokes using a

keyboard" as "Customers login once into the control panel, and then have access to e-

mail, website builder tools, newsgroups, etc." (Column 19, lines 21-23).

The examiner further notes that it is common knowledge to use a keyboard to

"login" (Column 19, line 21).

Regarding claim 22, **Muret** further teaches a method comprising:

A) the <u>particular</u> web page comprises a first web page (Column 11, lines 35-48,

Column 27, lines 43-53, Figure 8, 30);

B) the website comprises one or more other web pages in addition to the first web page

(Column 11, lines 35-48, Column 27, lines 43-53, Figure 8, 30); and

C) the second software is further operable to: receive, from the website owner, a

specification of one or more of the other web pages (Column 11, lines 35-48, Column

27, lines 43-53, Figure 8, 30); and

D) provide the website owner access from the first web page to collected information

concerning user interaction with the specified other web pages in addition to the

collected information concerning user interaction with the first web page (Column 11,

lines 35-48, Column 27, lines 43-53, Figure 8, 30).

The examiner notes that **Muret** teaches **"the <u>particular</u> web page comprises a**

first web page" as "a particular visitor is recorded as looking at Page A 1060 first and

then Page C 1070" (Column 11, lines 38-39). The examiner further notes that **Muret**

teaches **"the website comprises one or more other web pages in addition to the**

first web page" as "a particular visitor is recorded as looking at Page A 1060 first and

then Page C 1070" (Column 11, lines 38-39). The examiner further notes that **Muret**

teaches **"the second software is further operable to: receive, from the website**

owner, a specification of one or more of the other web pages" as "a particular

visitor is recorded as looking at Page A 1060 first and then Page C 1070" (Column 11,

lines 38-39). The examiner further notes that **Muret** teaches **"provide the website**

owner access from the first web page to collected information concerning user

interaction with the specified other web pages in addition to the collected

information concerning user interaction with the first web page" as "a particular

visitor is recorded as looking at Page A 1060 first and then Page C 1070" (Column 11,

lines 38-39).

Regarding claim 23, **Muret** teaches a software comprising:

A) receive, from a website owner who has accessed a particular web page of a website

and using a web browser while the particular web page is viewable within a browser

window of the web browser, input indicating a desire to access collected information

concerning user interaction with the particular web page (Column 5, lines 58-67-Column

6, lines 1-10, Column 26, lines 23-30);

B) determine whether the website owner is authorized to access the collected

information concerning user interaction with the particular web page (Column 19, lines

56-67-Column 20, lines 1-10); and

C) if the website owner is authorized to access the collected information concerning

user interaction with the particular web page (Column 19, lines 56-67-Column 20, lines

1-10):

D) generate a viewable user interface providing substantially real-time access to the

collected information concerning user interaction with the particular web page (Column

5, lines 58-67-Column 6, lines 1-10, Figures 22-36); and

E) to provide the website owner substantially real-time access to the collected

information concerning user interaction with the <u>particular</u> web page, present the

viewable user interface to the <u>website</u> owner <u>in substantially real-time in response to the</u>

<u>input received form the website owner</u> while the <u>particular</u> web page <u>was viewable</u>

within the browser window of the web browser (Column 5, lines 58-67-Column 6, lines

1-10, Column 21, lines 18-60, Figures 22-36).

The examiner notes that **Muret** teaches **"receive, from a website owner who**

has accessed <u>a particular</u> web page <u>of a website and</u> using a web browser while

the <u>particular</u> web page is viewable within a browser window of the web browser,

input indicating a desire to access collected information concerning user

interaction with the <u>particular</u> web page" as "A user 530 sends a report request 540

to the report engine 400 via a web server 520" (Column 5, lines 62-63) and "E-

commerce website owners can use these correlations to make valuable business

decisions" (Column 26, lines 23-24). The examiner further notes that **Muret** teaches

"determine whether the website owner is authorized to access the collected

information concerning user interaction with the <u>particular</u> web page" as "The

authentication module 1430 provides a flexible way to check access authorization for

report requestors" (Column 19, lines 59-61). The examiner further notes that **Muret**

teaches **"if the website owner is authorized to access the collected information**

concerning user interaction with the <u>particular</u> web page" as "The authentication

module 1430 provides a flexible way to check access authorization for report

requestors" (Column 19, lines 59-61). The examiner further notes that **Muret** teaches

"generate a viewable user interface providing substantially real-time access to the collected information concerning user interaction with the _particular_ web page" as the various graphical user interfaces in Figures 22-36. The examiner further notes that **Muret** teaches "to provide the website owner substantially real-time access to the collected information concerning user interaction with the _particular_ web page, present the viewable user interface to the _website_ owner _in_ _substantially real-time in response to the input received form the website owner_ while the _particular_ web page _was viewable_ within the browser window of the web browser" as "the system 100, suing the live data access control routine shown in FIG.5, ahs the ability to record web traffic into the database 300 continuously as it occurs. Since, as described above, the report engine 400 creates reports when they are requested, all reports can display up-to-date real-time information" (Column 21, lines 30-35).

Regarding claim 24, **Muret** further teaches a software comprising:

A) receive a password from the website owner (Column 19, lines 16-27, lines 56-67-Column 20, lines 1-10); and

B) to determine whether the website owner is authorized to access the collected information concerning user interaction with the _particular_ web page, determine whether the password received from the website owner is valid (Column 19, lines 16-27, lines 56-67-Column 20, lines 1-10).

The examiner notes that **Muret** teaches **"receive a password from the website**

owner" as "The authentication module 1430 provides a flexible way to check access

authorization for report requestors" (Column 19, lines 59-61). The examiner further

notes that **Muret** teaches **"to determine whether the website owner is authorized to**

access the collected information concerning user interaction with the <u>particular</u>

web page, determine whether the password received from the website owner is

valid" as "The authentication module 1430 provides a flexible way to check access

authorization for report requestors" (Column 19, lines 59-61).

Regarding claim 25, **Muret** further teaches a software comprising:

A) receive, from the website owner, one or more specified filter criteria applicable to the

collected information concerning user interaction with the <u>particular</u> web page (Column

27, lines 1-43, Figures 27-29); and

B) filter the collected information concerning user interaction with the <u>particular</u> web

page according to the specified filter criteria such that the website owner is presented

only particular collected information concerning user interaction with the <u>particular</u> web

page matching the specified filter criteria (Column 27, lines 1-43, Figures 27-29).

The examiner notes that **Muret** teaches **"receive, from the website owner, one**

or more specified filter criteria applicable to the collected information concerning

user interaction with the <u>particular</u> web page" as "The user interface 4000

preferable includes a "date range" functions area 4080. Depending on the report

chosen, this date range functions area 4080 allows the user to select the date range of

the report being shown" (Column 27, lines 1-4). The examiner further notes that **Muret**

teaches **"filter the collected information concerning user interaction with the**

particular web page according to the specified filter criteria such that the website

owner is presented only particular collected information concerning user

interaction with the particular web page matching the specified filter criteria" as

"The user interface 4000 preferable includes a "date range" functions area 4080.

Depending on the report chosen, this date range functions area 4080 allows the user to

select the date range of the report being shown" (Column 27, lines 1-4).

Regarding claim 26, **Muret** further teaches a software comprising:

A)   wherein at least one of the filter criteria comprises a time frame associated with the

collected information concerning user interaction with the particular web page (Column

27, lines 1-43, Figures 27-29).

The examiner notes that **Muret** teaches **"wherein at least one of the filter**

criteria comprises a time frame associated with the collected information

concerning user interaction with the particular web page" as "The user interface

4000 preferable includes a "date range" functions area 4080. Depending on the report

chosen, this date range functions area 4080 allows the user to select the date range of

the report being shown" (Column 27, lines 1-4).

Regarding claim 27, **Muret** further teaches a software comprising:

A) wherein the collected information concerning user interaction with the <u>particular</u> web

page is user traffic information (Column 21, lines 18-60, Column 27, lines 15-43,

Figures 22, 28-29).

The examiner notes that **Muret** teaches **"wherein the collected information**

concerning user interaction with the <u>particular</u> web page is user traffic

information" as "Traffic Related Reports: The Snapshot report 4010 shown in FIG. 28

is preferable a bar graph 4110 of the last 7 days of web site traffic in terms of various

fields, preferable Visitors, PageViews, Hits, or Bytes" (Column 27, lines 15-19).

Regarding claim 32, **Muret** further teaches a software comprising:

A) wherein the input indicating a desire to access the collected information concerning

user interaction with the <u>particular</u> web page comprises entry of one or more particular

keystrokes using a keyboard (Column 19, lines 16-27, lines 56-67-Column 20, lines 1-

10).

The examiner notes that **Muret** teaches **"wherein the input indicating a desire**

to access the collected information concerning user interaction with the

<u>particular</u> web page comprises entry of one or more particular keystrokes using a

keyboard" as "Customers login once into the control panel, and then have access to e-

mail, website builder tools, newsgroups, etc." (Column 19, lines 21-23).

The examiner further notes that it is common knowledge to use a keyboard to

"login" (Column 19, line 21).

Regarding claim 33, **Muret** further teaches a software comprising:

A) the <u>particular</u> web page comprises a first web page (Column 11, lines 35-48,

Column 27, lines 43-53, Figure 8, 30);

B) the website comprises one or more other web pages in addition to the first web page

(Column 11, lines 35-48, Column 27, lines 43-53, Figure 8, 30); and

C) the second software is further operable to: receive, from the website owner, a

specification of one or more of the other web pages (Column 11, lines 35-48, Column

27, lines 43-53, Figure 8, 30); and

D) provide the website owner access from the first web page to collected information

concerning user interaction with the specified other web pages in addition to the

collected information concerning user interaction with the first web page (Column 11,

lines 35-48, Column 27, lines 43-53, Figure 8, 30).

The examiner notes that **Muret** teaches **"the <u>particular</u> web page comprises a**

first web page" as "a particular visitor is recorded as looking at Page A 1060 first and

then Page C 1070" (Column 11, lines 38-39). The examiner further notes that **Muret**

teaches **"the website comprises one or more other web pages in addition to the**

first web page" as "a particular visitor is recorded as looking at Page A 1060 first and

then Page C 1070" (Column 11, lines 38-39). The examiner further notes that **Muret**

teaches **"the second software is further operable to: receive, from the website**

owner, a specification of one or more of the other web pages" as "a particular

visitor is recorded as looking at Page A 1060 first and then Page C 1070" (Column 11,

lines 38-39). The examiner further notes that **Muret** teaches **"provide the website**

owner access from the first web page to collected information concerning user interaction with the specified other web pages in addition to the collected information concerning user interaction with the first web page" as "a particular visitor is recorded as looking at Page A 1060 first and then Page C 1070" (Column 11, lines 38-39).

Regarding claim 34, **Muret** teaches a system comprising:

A) means for collecting information concerning user interaction with <u>a particular</u> web page <u>of a website</u> (Column 5, lines 58-67-Column 6, lines 1-10, Column 21, lines 18-60, Figures 22-36); and

B) means for receiving, from a website owner who has accessed the <u>particular</u> web page using a web browser <u>and</u> while the <u>particular</u> web page is viewable within a browser window of the web browser, input indicating a desire to access the collected information concerning user interaction with the <u>particular</u> web page (Column 5, lines 58-67-Column 6, lines 1-10, Column 26, lines 23-30);

C) means for determining whether the website owner is authorized to access the collected information concerning user interaction with the <u>particular</u> web page (Column 19, lines 56-67-Column 20, lines 1-10); and

D) means for, if the website owner is authorized to access the collected information concerning user interaction with the <u>particular</u> web page (Column 19, lines 56-67-Column 20, lines 1-10):

E) generating a viewable user interface providing substantially real-time access to the

collected information concerning user interaction with the particular web page (Column

5, lines 58-67-Column 6, lines 1-10, Figures 22-36); and

F) to provide the website owner substantially real-time access to the collected

information concerning user interaction with the particular web page, presenting the

viewable user interface to the website owner in substantially real-time in response to the

input received from the website owner while the particular web page is viewable within

the browser window of the web browser (Column 5, lines 58-67-Column 6, lines 1-10,

Column 21, lines 18-60, Figures 22-36).

The examiner notes that **Muret** teaches **"means for collecting information**

concerning user interaction with a particular web page of a website" as "the

system 100, suing the live data access control routine shown in FIG.5, has the ability to

record web traffic into the database 300 continuously as it occurs. Since, as described

above, the report engine 400 creates reports when they are requested, all reports can

display up-to-date real-time information" (Column 21, lines 30-35). The examiner

further notes that **Muret** teaches **"means for receiving, from a website owner who**

has accessed the particular web page using a web browser and while the

particular web page is viewable within a browser window of the web browser,

input indicating a desire to access the collected information concerning user

interaction with the particular web page" as "A user 530 sends a report request 540

to the report engine 400 via a web server 520" (Column 5, lines 62-63) and "E-

commerce website owners can use these correlations to make valuable business

decisions" (Column 26, lines 23-24). The examiner further notes that **Muret** teaches **"means for determining whether the website owner is authorized to access the collected information concerning user interaction with the _particular_ web page"** as "The authentication module 1430 provides a flexible way to check access authorization for report requestors" (Column 19, lines 59-61). The examiner further notes that **Muret** teaches **"means for, if the website owner is authorized to access the collected information concerning user interaction with the _particular_ web page"** as "The authentication module 1430 provides a flexible way to check access authorization for report requestors" (Column 19, lines 59-61). The examiner further notes that **Muret** teaches **"generating a viewable user interface providing substantially real-time access to the collected information concerning user interaction with the _particular_ web page"** as the various graphical user interfaces in Figures 22-36. The examiner further notes that **Muret** teaches **"to provide the website owner substantially real-time access to the collected information concerning user interaction with the _particular_ web page, presenting the viewable user interface to the _website_ owner _in substantially real-time in response to the input received from the website owner_ while the _particular_ web page is viewable within the browser window of the web browser"** as "the system 100, suing the live data access control routine shown in FIG.5, ahs the ability to record web traffic into the database 300 continuously as it occurs. Since, as described above, the report engine 400 creates reports when they are requested, all reports can display up-to-date real-time information" (Column 21, lines 30-35).

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set

forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

9.   Claims 6-9, 17-20, and 28-31 are rejected under 35 U.S.C. 103(a) as being

unpatentable over **Muret et al.** (U.S. Patent 6,792,458) as applied to claims 1-5, 10-16,

21-27, and 32-34 above and in view of **Kurzrok** (U.S. Patent 6,260,064).

10.   Regarding claims 6, 17, and 28, **Muret** does not explicitly teach a system,

method, and software comprising:

A) wherein the collected information concerning user interaction with the <u>particular</u> web

page is user feedback information concerning the <u>particular</u> web page.

   Kurzrok, however, teaches **"wherein the collected information concerning**

user interaction with the <u>particular</u> web page is user feedback information

concerning the <u>particular</u> web page" as "These zones are used to invite the reader to

provide rating information about the contents of the associated zone" (Column 3, lines

9-19, Figures 2, 4a-4c).

   It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the teachings of the cited references because teaching

Kurzrok's would have allowed **Muret's** to provide a method to allow owners of

websites to determine whether or not website content is satisfactory to users via user

feedback, as noted by **Kurzrok** (Column 1, lines 29-32).

   Regarding claims 7, 18, and 29, **Muret** does not explicitly teach a system,

method, and software comprising:

A) generate a report of the collected user feedback information; and

B) present the report to the website owner to provide the website owner access to the

collected user feedback information while the <u>particular</u> web page is viewable within the

browser window of the web browser.

Kurzrok, however, teaches **"a report of the collected feedback information"**
as "after a rating is received, when a request for a rating summary is received or at
regular intervals, cumulative rating parameters are calculated for each article and
advertisement" (Column 3, lines 65-67-Column 4, line 1, Figures 4a-4c), and **"present
the report to the website owner to provide the website owner access to the
collected user feedback information while the _particular_ web page is viewable
within the browser window of the web browser"** as "survey results" (Figures 4a-4c)

It would have been obvious to one of ordinary skill in the art at the time the
invention was made to combine the teachings of the cited references because teaching
Kurzrok's would have allowed **Muret's** to provide a method to allow owners of
websites to determine whether or not website content is satisfactory to users via user
feedback, as noted by **Kurzrok** (Column 1, lines 29-32).

Regarding claims 8, 19, and 30, **Muret** teaches a system, method, and software
comprising:

A) a first display of a time frame associated with the collected user feedback
information (Column 27, lines 1-43, Figures 27-29);

B) a third display of one or more sliding bars (Figures 25, 28-36).

The examiner notes that **Muret** teaches **"wherein the collected information
concerning user interaction with the _particular_ web page is user traffic
information"** as "Traffic Related Reports: The Snapshot report 4010 shown in FIG. 28

is preferable a bar graph 4110 of the last 7 days of web site traffic in terms of various

fields, preferable Visitors, PageViews, Hits, or Bytes" (Column 27, lines 15-19).

    Muret does not explicitly teach:

C) a second display providing an overview of the collected user feedback information;

and

D) correspond to a particular type of collected user feedback information and indicate

percentages of negative, neutral, and positive user feedback information of the

corresponding particular type of collected user feedback information.

    Kurzrok, however, teaches **"a second display providing an overview of the**

collected user feedback information" as "after a rating is received, when a request

for a rating summary is received or at regular intervals, cumulative rating parameters

are calculated for each article and advertisement" (Column 3, lines 65-67-Column 4, line

1, Figures 4a-4c), and **"correspond to a particular type of collected user feedback**

information and indicate percentages of negative, neutral, and positive user

feedback information of the corresponding particular type of collected user

feedback information" as "In addition, for each rating, a percentage figure is shown

indicating how many readers have voted for an article or advertisement as being

excellent, etc. (Column 4, lines 17-20) and "survey results" (Figures 4a-4c).

    It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the teachings of the cited references because teaching

Kurzrok's would have allowed **Muret's** to provide a method to allow owners of

websites to determine whether or not website content is satisfactory to users via user

feedback, as noted by **Kurzrok** (Column 1, lines 29-32).

Regarding claims 9, 20, and 31, **Muret** teaches a system, method, and software

comprising:

A) a display window operable to display one or more of: one or more charts (Figure 22).

Muret does not explicitly teach:

B) one or more general or specific user ratings of the <u>particular</u> web page;

C) user comments regarding the <u>particular</u> web page; and

D) one or more survey displays of user answers to one or more explicit questions

regarding the <u>particular</u> web page.

Kurzrok, however, teaches **"one or more general or specific user ratings of**

the <u>particular</u> web page" as "after a rating is received, when a request for a rating

summary is received or at regular intervals, cumulative rating parameters are calculated

for each article and advertisement" (Column 3, lines 65-67–Column 4, line 1, Figures 4a-

4c), **"user comments regarding the <u>particular</u> web page (Column 3, lines 9-19,**

Figure 2)" as "Another field provided in zone 104 is a "comment" field" (Column 3, lines

9-19), and **"one or more survey displays of user answers to one or more explicit**

questions regarding the <u>particular</u> web page" as "survey results" (Figures 4a-4c).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the teachings of the cited references because teaching

Kurzrok's would have allowed **Muret's** to provide a method to allow owners of

websites to determine whether or not website content is satisfactory to users via user

feedback, as noted by **Kurzrok** (Column 1, lines 29-32).

Response to Arguments

11.   Applicant's arguments filed on 08/31/2006 have been fully considered but they

are not persuasive.

Applicant goes on to argue on page 16, that **"Muret does not disclose, teach,**

or suggest that the visitor requests a report about the website, much less report

about a particular page of the website, that the visitor has accessed and viewed".

However, the examiner wishes to state that **Muret's** reference clearly only allows for

"users" to access and request website reports. In response to applicant's argument that

the references fail to show certain features of applicant's invention, it is noted that the

features upon which applicant relies (i.e., "visitor requests a report about the website")

are not recited in the rejected claim(s). Although the claims are interpreted in light of

the specification, limitations from the specification are not read into the claims. See *In*

re Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant goes on to argue on page 16, that **"Muret also does not disclose,**

teach, or suggest that the user accessed or views the website, much less a

particular web page of the website, about which the user has requested a report".

However, the examiner wishes to point to Column 5 of **Muret** and refer to the seventh

paragraph which states "A user 530 sends a report request 540 to the report engine 400

via a web server 520. The report engine obtains the data required to generate the

report from the database 300, generates the report, and delivers the generated report

550 to the user 530 via the web server 520" (Column 5, lines 62-67). The examiner

further wishes to point to Column 6 of **Muret** and refer to the first paragraph which

states "The web server 520 can optionally be one of the web servers 500 that created

the log files 510 and 580" (Column 6, lines 1-2). The examiner wishes to state that

Muret's method clearly allows for the user to access reports from the same server as to

which hosts the particular web page.

Applicant goes on to argue on page 16, that **"Muret also does not disclose,**

teach, or suggest that the visitor receives a report regarding the website in

substantially real-time in response to accessing the website, much less receiving

a report regarding a particular web page of the website in substantially real-time

in response to accessing the particular web page". However, the examiner wishes

to state that **Muret's** reference clearly only allows for "users" to access and request

website reports. In response to applicant's argument that the references fail to show

certain features of applicant's invention, it is noted that the features upon which

applicant relies (i.e., "visitor recieves a report about the website") are not recited in the

rejected claim(s). Although the claims are interpreted in light of the specification,

limitations from the specification are not read into the claims. See *In re Van Geuns*, 988

F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant goes on to argue on page 17, that **"Accordingly, Kurzrok**

necessarily does not disclose, teach, or suggest that the web site reader requests

a rating summary for the content that the web site reader has read or viewed".

However, the examiner wishes to state that Kurzrok's method is for content providers

(see Column 1, lines 8-9) to view ratings summaries. The examiner further wishes to state that it is common knowledge that a content provider would have viewed their content.

Applicant goes on to argue on page 17, that **"Kurzrok also necessarily does not disclose that the rating summary requester read or view the content that is the subject of the rating summary"**. However, the examiner wishes to point to Figures 4A-4C of **Kurzrok** which show the rating summaries. The examiner further wishes to state that Kurzrok's method is for content providers (see Column 1, lines 8-9) to retrieve ratings summaries. The examiner further wishes to state that it is common knowledge that a content provider would have viewed their content.

Conclusion

12.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 6,606,657 issued to **Zilberstein et al.** on 12 August 2003. The subject matter disclosed therein is pertinent to that of claims 1-34 (e.g., methods to provide web summary reports).

U.S. Patent 6,393,479 issued to **Glommen et al.** on 21 May 2002. The subject matter disclosed therein is pertinent to that of claims 1-5, 10-16, 21-27, and 32-34 (e.g., methods to analyze and report website traffic).

U.S. PGPUB 20020087979 issued to **Pulley et al.** on 04 July 2002. The subject matter disclosed therein is pertinent to that of claims 1-34 (e.g., methods to monitor website activity).

Article entitled "dna: Opinionlab", dated 5/5/2001 by: **dna**. The subject matter

disclosed therein is pertinent to that of claims 1-34 (e.g., methods to monitor website

activity).

Article entitled "OpinionLab: Optimize user experience and track user

satisfaction using OnlineOpinion", dated 07/23/2002 by: **OpinionLab**. The subject

matter disclosed therein is pertinent to that of claims 1-34 (e.g., methods to monitor

website activity).

13.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Contact Information

14.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Mahesh Dwivedi whose telephone number is (571) 272-

2731. The examiner can normally be reached on Monday to Friday 8:20 am – 4:40 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Vo can be reached (571) 272-3642. The fax number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mahesh Dwivedi

Patent Examiner

Art Unit 2168

November 06, 2006

Leslie Wong

Primary Examiner

TIM VO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100